

JS 44C/SDNY  
REV. 08/01/17

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

## PLAINTIFFS

GlobeNet Cabos Submarinos America Inc. f/k/a Brasil Telecom of America, Inc.

## DEFENDANTS

FSF Techonology Ltda EPP d/b/a Aloo Telecom

## ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Michael C. Marsh

Akerman LLP, 666 Fifth Avenue New York, New York 10103

(212) 880-3800

## ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Breach of Contract and Account Stated

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No ☒Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

## NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES			
<b>CONTRACT</b>	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<b>FORFEITURE/PENALTY</b>	<b>BANKRUPTCY</b>	<b>OTHER STATUTES</b>
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 367 HEALTHCARE/	[ ] 625 DRUG RELATED	[ ] 422 APPEAL	[ ] 375 FALSE CLAIMS
[ ] 120 MARINE	[ ] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	INJURY/PRODUCT LIABILITY	28 USC 158	[ ] 376 QUI TAM
[ ] 130 MILLER ACT	LIABILITY	[ ] 365 PERSONAL INJURY	SEIZURE OF PROPERTY	[ ] 423 WITHDRAWAL	[ ] 400 STATE
[ ] 140 NEGOTIABLE	[ ] 320 ASSAULT, LIBEL &	PRODUCT LIABILITY	21 USC 881	28 USC 157	REAPPORTIONMENT
[ ] 150 INSTRUMENT	SLANDER	[ ] 368 ASBESTOS PERSONAL	[ ] 690 OTHER		[ ] 410 ANTITRUST
RECOVERY OF	[ ] 330 FEDERAL	INJURY PRODUCT			[ ] 430 BANKS & BANKING
OVERPAYMENT &	EMPLOYERS'	LIABILITY	<b>PROPERTY RIGHTS</b>		[ ] 450 COMMERCE
ENFORCEMENT	LIABILITY		[ ] 820 COPYRIGHTS		[ ] 460 DEPORTATION
OF JUDGMENT	[ ] 340 MARINE	<b>PERSONAL PROPERTY</b>	[ ] 830 PATENT		[ ] 470 RACKETEER INFLU-
[ ] 151 MEDICARE ACT	[ ] 345 MARINE PRODUCT	[ ] 370 OTHER FRAUD	[ ] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		ENCED & CORRUPT
[ ] 152 RECOVERY OF	LIABILITY	[ ] 371 TRUTH IN LENDING	[ ] 840 TRADEMARK		ORGANIZATION ACT
DEFAULTED	[ ] 350 MOTOR VEHICLE				(RICO)
STUDENT LOANS	[ ] 355 MOTOR VEHICLE				[ ] 480 CONSUMER CREDIT
(EXCL VETERANS)	PRODUCT LIABILITY				[ ] 490 CABLE/SATELLITE TV
[ ] 153 RECOVERY OF	[ ] 360 OTHER PERSONAL	[ ] 380 OTHER PERSONAL	<b>LABOR</b>	<b>SOCIAL SECURITY</b>	
OVERPAYMENT	INJURY	PROPERTY DAMAGE	[ ] 710 FAIR LABOR	[ ] 861 HIA (1395ff)	[ ] 850 SECURITIES/
OF VETERANS	[ ] 362 PERSONAL INJURY -	[ ] 385 PROPERTY DAMAGE	STANDARDS ACT	[ ] 862 BLACK LUNG (923)	COMMODITIES/
BENEFITS	MED MALPRACTICE	PRODUCT LIABILITY	[ ] 720 LABOR/MGMT	[ ] 863 DIWC/DIWW (405(g))	EXCHANGE
[ ] 160 STOCKHOLDERS			RELATIONS	[ ] 864 SSID TITLE XVI	
SUITS	<b>ACTIONS UNDER STATUTES</b>	<b>PRISONER PETITIONS</b>	[ ] 740 RAILWAY LABOR ACT	[ ] 865 RSI (405(g))	[ ] 890 OTHER STATUTORY
[ ] 180 OTHER	<b>CIVIL RIGHTS</b>	[ ] 463 ALIEN DETAINEE	[ ] 751 FAMILY MEDICAL		ACTIONS
CONTRACT	[ ] 440 OTHER CIVIL RIGHTS	[ ] 510 MOTIONS TO	LEAVE ACT (FMLA)	<b>FEDERAL TAX SUITS</b>	[ ] 891 AGRICULTURAL ACTS
[ ] 195 CONTRACT	(Non-Prisoner)	VACATE SENTENCE	[ ] 790 OTHER LABOR	[ ] 870 TAXES (U.S. Plaintiff or	
PRODUCT	[ ] 441 VOTING	28 USC 2255	LITIGATION	Defendant)	[ ] 893 ENVIRONMENTAL
LIABILITY	[ ] 442 EMPLOYMENT	[ ] 530 HABEAS CORPUS	[ ] 791 EMPL RET INC	[ ] 871 IRS-THIRD PARTY	MATTERS
[ ] 196 FRANCHISE	[ ] 443 HOUSING/	[ ] 535 DEATH PENALTY	SECURITY ACT (ERISA)	28 USC 7809	[ ] 895 FREEDOM OF
	ACCOMMODATIONS	[ ] 540 MANDAMUS & OTHER			INFORMATION ACT
<b>REAL PROPERTY</b>	[ ] 445 AMERICANS WITH		<b>IMMIGRATION</b>		[ ] 896 ARBITRATION
[ ] 210 LAND	DISABILITIES -	[ ] 550 CIVIL RIGHTS	[ ] 462 NATURALIZATION		[ ] 899 ADMINISTRATIVE
CONDEMNATION	EMPLOYMENT	[ ] 555 PRISON CONDITION	APPLICATION		PROCEDURE ACT/REVIEW OR
[ ] 220 FORECLOSURE	[ ] 446 AMERICANS WITH	[ ] 560 CIVIL DETAINEE	[ ] 465 OTHER IMMIGRATION		APPEAL OF AGENCY DECISION
[ ] 230 RENT LEASE &	DISABILITIES -OTHER	CONDITIONS OF CONFINEMENT	ACTIONS		[ ] 950 CONSTITUTIONALITY OF
EJECTMENT	[ ] 448 EDUCATION				STATE STATUTES
[ ] 240 TORTS TO LAND					
[ ] 245 TORT PRODUCT					
LIABILITY					
[ ] 280 ALL OTHER					
REAL PROPERTY					

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.  
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 137  
IF SO, STATE:

DEMAND \$ \_\_\_\_\_ OTHER \_\_\_\_\_ JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint

JURY DEMAND: ☐ YES ☒ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

**ORIGIN**

- ☒ 1 Original Proceeding   
 ☐ 2 Removed from State Court   
 ☐ 3 Remanded from Appellate Court   
 ☐ 4 Reinstated or Reopened   
 ☐ 5 Transferred from (Specify District)   
 ☐ 6 Multidistrict Litigation (Transferred)   
 ☐ 7 Appeal to District Judge from Magistrate Judge  
☐ a. all parties represented   
☐ b. At least one party is pro se.   
☐ 8 Multidistrict Litigation (Direct File)

(PLACE AN x IN ONE BOX ONLY)

**BASIS OF JURISDICTION****IF DIVERSITY, INDICATE CITIZENSHIP BELOW.**

- ☐ 1 U.S. PLAINTIFF   
☐ 2 U.S. DEFENDANT   
☐ 3 FEDERAL QUESTION   
☒ 4 DIVERSITY  
 (U.S. NOT A PARTY)

**CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)**

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF DEF [ ] 1 [ ] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [ ] 3 [x] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [x] 5 [ ] 5
CITIZEN OF ANOTHER STATE	[ ] 2 [ ] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ] 4 [ ] 4	FOREIGN NATION	[ ] 6 [ ] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

**GLOBENET CABOS SUBMARINOS AMERICA INC.**  
 200 East Las Olas Blvd., Suite 1700  
 Fort Lauderdale, Florida 33301

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

**FSF TECHNOLOGY LTDA EPP d/b/a ALOO TELECOM**  
 Rua Ministro Salgado Filho, nº78 — Pitanguinha —  
 CEP 57052-140, Maceio-Alagoas-Brazil

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

**COURTHOUSE ASSIGNMENT**

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN

DATE 05/21/2018 SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO

[x] YES (DATE ADMITTED Mo. \_\_\_\_\_ Yr. \_\_\_\_\_)

Attorney Bar Code #2364008

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)